

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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GEORGE PERROT, )  
Plaintiff, )  
v. ) Civil Action No. 1:18-cv-10147-DPW  
THOMAS KELLY, ET AL. )  
Defendants. )  
\_\_\_\_\_  
)

**MOTION BY THE UNITED STATES FOR AN EXTENSION OF TIME FOR  
DEFENDANTS WILLIAM EUBANKS AND WAYNE OAKES  
TO ANSWER OR MOVE TO DISMISS PLAINTIFF'S COMPLAINT**

For the following reasons, the United States of America respectfully requests that this Court extend the time by which Defendants William Eubanks and Wayne Oakes must respond to Plaintiff George Perrot's complaint to sixty (60) days after a decision on representation by the Department of Justice has been made. Plaintiff has assented to this motion.

Defendants Eubanks and Oakes are former employees of the Federal Bureau of Investigation (the "FBI"). They are named as defendants in their individual capacities. Defendants Eubanks and Oakes have requested that the Department of Justice provide them with legal representation in this matter. Their requests are currently being processed by the FBI, after which they will be sent to the Department for consideration.

Ordinarily, the deadline for a former officer or employee of the United States sued in an individual capacity to serve a response to the complaint is 60 days after service on the officer or employee, or 60 days after service on the U.S. Attorney, whichever is later. Fed. R. Civ. P. 12(a)(3). To date, neither of the Defendants has been personally served with the Complaint. It is anticipated that personal service will be accomplished within the next two weeks.

In order to allow for enough time for their representation requests to be processed, the United States respectfully requests that this Court extend the time by which Defendants Eubanks and Oakes must respond to Plaintiff's complaint to sixty (60) days after a decision on representation by the Department of Justice has been made.

Respectfully submitted,

UNITED STATES OF AMERICA

By its attorney,

ANDREW E. LELLING  
United States Attorney

By: /s/ Annapurna Balakrishna  
Annapurna Balakrishna  
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United States Attorney's Office  
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April 16, 2018

CERTIFICATE OF SERVICE

I certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants, if any, on April 16, 2018.

/s/ Annapurna Balakrishna  
Annapurna Balakrishna

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I certify that I conferred with Plaintiff's counsel before filing this motion and that Plaintiff's counsel assented to the motion.

/s/ Annapurna Balakrishna  
Annapurna Balakrishna